

## **AGENDA**

North Dakota Racing Commission  
Live Meeting  
500 N 9th St, Bismarck, ND  
Wednesday, April 30, 2003  
1:00 p.m.

1. Approval of Minutes for March 6, 2003
2. Dale Lagerquist - Approval of Breeders' Awards
  - a. Reimbursement of Postage from Breeders' Fund Administrative Account to General Fund
  - b. Approval of Breeders' Fund Auditor's Report
3. Additional Purse Fund Request of \$38,000
4. Security & Management Request for \$17,500
5. Release of Promotion Funds Previously Granted
6. Tentative Request for Attorney General's Opinion
7. Other Matters Which May Come Before the Commission

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If you plan to attend the meeting and will need special facilities or assistance relating to a disability, please contact the Racing Commission at 701-328-4633.

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North Dakota Racing Commission  
Live Meeting  
Wednesday, April 30, 2003  
1:00 p.m.

PRESENT:

Chair Commissioner Ann Mahoney, Commissioners Dr. Charlie Stoltenow, James Boehm, and Howard W. Wrigley (by telephone), Director of Racing Paul Bowlinger, Counsel Bill Peterson, and Administrative Assistant Kelly Boespflug.

ABSENT:

Commissioner Jim Arthaud

OTHERS PRESENT:

Janell Cole, The Fargo Forum  
Leon Glasser, NDQHRA  
Wes Heinert, NDQHRA  
Les Schmidt, Horse Race ND

The meeting was called to order at 1:05 p.m. by Chair Commissioner Mahoney. The roll call was taken by Executive Director Bowlinger.

Commissioner Boehm	-	Here
Commissioner Stoltenow	-	Here
Commissioner Wrigley	-	Here
Chair Mahoney	-	Here

**AGENDA ITEM #1**  
**Approval of Minutes of March 6, 2003**

**Commissioner Boehm moved to approve the minutes from the March 6, 2003, meeting.**  
**Commissioner Stoltenow seconded the motion.**

Executive Director Bowlinger called the roll as follows:

Commissioner Boehm	-	Yes
Commissioner Wrigley	-	Yes
Commissioner Stoltenow	-	Yes
Chair Mahoney	-	Yes

**The motion carried unanimously.**

**AGENDA ITEM #2**  
**Dale Lagerquist - Approval of Breeders' Awards**

Executive Director Bowlinger stated in reviewing the breeders' fund awards, there were two horses that were not included. The Racing Commission received a contest from Dale



Lagerquist regarding his horses not being included. Upon review, a mistake was made and those two horses should have been awarded breeders' awards.

**Commissioner Boehm moved to approve payment of the request in the amount of \$2,130.14 to be taken from the breeders' fund administrative account. Commissioner Stoltenow seconded the motion.**

Discussion held.

Executive Director Bowlinger called the roll as follows:

Commissioner Boehm	-	Yes
Commissioner Wrigley	-	Yes
Commissioner Stoltenow	-	Yes
Chair Mahoney	-	Yes

**The motion carried unanimously.**

**AGENDA ITEM #2a  
Reimbursement of Postage from Breeders' Fund  
Administrative Account to General Fund**

Executive Director Bowlinger stated some postage was paid from the general fund. It is an administrative fund; therefore, the funds should come out of the breeders' fund administrative account.

**Commissioner Stoltenow moved to transfer \$26.52 from the breeders' fund administrative account, to the general fund, for postage. Commissioner Boehm seconded the motion.**

Executive Director Bowlinger called the roll as follows:

Commissioner Boehm	-	Yes
Commissioner Stoltenow	-	Yes
Commissioner Wrigley	-	Yes
Chair Mahoney	-	Yes

**The motion carried unanimously.**

**AGENDA ITEM #2b  
Approval of Breeders' Fund Auditor's Report**

Executive Director Bowlinger stated Roger Thompson provides the audit, and this is the final audit report. According to Racing Commission rules, the Commission needs to approve the audit.

**Commissioner Stoltenow moved to approve the breeders' fund audit. Commissioner Boehm seconded the motion.**



Discussion held.

Executive Director Bowlinger called the roll as follows:

Commissioner Boehm	-	Yes
Commissioner Wrigley	-	Yes
Commissioner Stoltenow	-	Yes
Chair Mahoney	-	Yes

**The motion carried unanimously.**

**AGENDA ITEM #3**  
**Additional Purse Fund Request of \$38,000**

Executive Director Bowlinger stated this request came as a result of the North Dakota Quarter Horse Racing Association requesting a more equitable split of races and purse money at the Fargo racetrack. After consultation between Fargo track management and people representing the North Dakota Quarter Horse Racing Association, the Fargo track came out with a package that they thought would work. It involves money to supplement some quarter horse races. There is also a \$7,000 grant to increase the purse for the thoroughbreds. Essentially this is a request from the horsemen to get additional money to the Fargo track for purses. It will help in encouraging more horses to come to the meet.

**Commissioner Stoltenow moved to approve \$38,000 for additional purse money for the Fargo Horse Park. Commissioner Boehm seconded the motion.**

Executive Director Bowlinger stated these changes will be noted in the conditions book.

Les Schmidt stated the conditions book will be sent out May 15 or sooner, which will be 90 days plus ahead of the race meet.

More discussion held.

Executive Director Bowlinger called the roll as follows:

Commissioner Boehm	-	Yes
Commissioner Stoltenow	-	Yes
Commissioner Wrigley	-	Yes
Chair Mahoney	-	Yes

**The motion carried unanimously.**

**AGENDA ITEM #4**  
**Security & Management Request for \$17,500**

Chair Mahoney stated there is a request from the Fargo track for \$17,500 for security and management.



Executive Director Bowlinger stated this is an additional request regarding security, which because it's a new track, the security concerns are unknown, and in the past we have had a lot of security concerns. The horsemen demand a level of security, especially when they are running for elevated purses, and they want to make sure their horses are protected. It adds to the creditability of the Commission in being able to regulate this meet. This would include 24-hour security at the racetrack. The second is management, which would allow the Commission to hire a steward to be there for an additional amount of time to look after some of the regulatory issues, exact placement of the cameras, etc.

**Commissioner Stoltenow moved to approve \$17,500 to the Fargo Horse Park for security and management from the promotion fund. Commissioner Wrigley seconded the motion.**

Discussion held.

Executive Director Bowlinger called the roll as follows:

Commissioner Boehm	-	Yes
Commissioner Stoltenow	-	Yes
Commissioner Wrigley	-	Yes
Chair Mahoney	-	Yes

**The motion carried unanimously.**

#### **AGENDA ITEM #5 Release of Promotion Funds Previously Granted**

Chair Mahoney asked Executive Director Bowlinger to explain the release of funds to the Fargo Horse Park.

Executive Director Bowlinger stated in the November meeting, the Commission approved \$300,000 from the promotion fund. The Commission released \$100,000 to the Fargo Horse Park in February. This is not additional money; it's money that has already been granted. The racetrack set up a payment schedule, and as it gets closer to the meet, the Fargo track will need the money to start hiring people and fulfilling obligations. This request is for a \$100,000 release for the operation of the Fargo racetrack.

**Commissioner Stoltenow moved to release \$100,000 of previously granted money from the promotion fund to the ND Horse Park. Commissioner Boehm seconded the motion.**

Executive Director Bowlinger called the roll as follows:

Commissioner Boehm	-	Yes
Commissioner Wrigley	-	Yes
Commissioner Stoltenow	-	Yes
Chair Mahoney	-	Yes

**The motion carried unanimously.**



**AGENDA ITEM #6**  
**Tentative Request for Attorney General's Opinion**

Executive Director Bowlinger stated as a result of the added language to Senate Bill 2015, it is unknown what that language means or what the Commission will be required to do. Executive Director Bowlinger has been advised by counsel that he, as the director, has the authority to request an Attorney General's opinion to give the Commission leadership on what this actually means. If this becomes law, Executive Director Bowlinger may request an Attorney General's Opinion.

Chair Mahoney stated no action is needed, and Executive Director Bowlinger can request an Attorney General's Opinion on his own, if and when it becomes necessary to do so.

**AGENDA ITEM #7**  
**Other Matters Which May Come Before the Commission**

Chair Mahoney recognized Les Schmidt.

Les Schmidt stated he would like to give an update on the horse track in Fargo. He stated Northern Improvement has done the blue topping and leveled the track. Dakota Fence will start drilling postholes to put the railing up. It will take three or four weeks to complete the railing. The starting gate will be delivered on Friday afternoon. Half of the new track conditioning equipment is on hand, the other half will arrive within the next two weeks. The barns will be ready for occupancy by July 1 or sooner. There is room for 140 stalls in the barn.

Commissioner Stoltenow asked where the Horse Park is on the project. Mr. Schmidt stated the Horse Park is right on schedule, if not ahead of schedule. Eighty percent of the officials are hired on contract.

More discussion held.

Chair Mahoney adjourned the meeting at 1:30.